

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CHARLES C. KRETEK, as
Personal Representative of
Christopher Aparicio, Deceased,

Plaintiff,

vs.

No. CIV 11-0676 KG/GBW

BOARD OF COMMISSIONERS
OF LUNA COUNTY, JOHN KREHBIEL,
JOSH ELFORD, JONATHAN CHAVEZ,
JOHN ROBERT MCGRAEL, and
YOLANDA EDWARDS,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter is before the Court on Plaintiff's Motion in Limine to Determine Admissibility of Surveillance Videos, filed February 5, 2014. (Doc. 259). On February 10, 2014, Defendants filed a response. (Doc. 274). On February 20, 2014, the Court held a hearing on Plaintiff's Motion in Limine. Present at the hearing were Duff Westbrook and Nathan Gonzales, counsel for Plaintiff, and Jonlyn Martinez and Mark Komer, counsel for Defendants. Having considered Plaintiff's Motion in Limine, Defendants' response, and the argument of counsel at the February 20, 2014, hearing, the Court granted Plaintiff's Motion in Limine at the February 20, 2014, hearing.

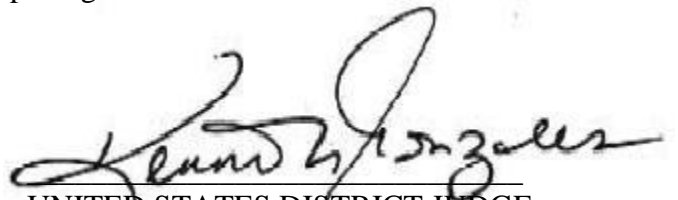
The parties agreed that the Luna County Detention Center (LCDC) booking area surveillance camera recording and LCDC detention officer Defendant Josh Elford's TASER CAM's audio and visual recording are admissible at trial. Mr. Gonzales stated that he would not use the recordings in his opening statement. The Court, therefore, will admit the LCDC booking

area surveillance camera recording and Defendant Elford's TASER CAM's recordings after opening statements.

IT IS ORDERED that

1. Plaintiff's Motion in Limine to Determine Admissibility of Surveillance Videos (Doc. 259) is granted; and

2. the LCDC booking area surveillance camera recording and detention officer Elford's TASER CAM's recordings will be admitted after opening statements.



UNITED STATES DISTRICT JUDGE